

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Angelina Jackson,	:	
	:	Civil Action No. 2:09 CV 0010
Plaintiff,	:	
	:	Judge Marbley
v.	:	Magistrate Judge Abel
	:	
Motel 6 Operating, L.P.,	:	
	:	
Defendant.	:	

AGREED PROTECTIVE ORDER

IT IS HEREBY ORDERED that:

1. Either party may designate any documents, materials, or other information produced or disclosed to the other party during discovery which contains confidential business information, trade secrets, personal private matters, or other proprietary information as "confidential" which designation shall make such items and all copies, prints, summaries, or other reproductions thereof subject to this Order (hereinafter referred to as "confidential information").
2. The use of said protected material by counsel in this litigation shall be strictly limited to use in this case alone, and shall be subject to all of the terms of this Order.
3. To the extent that such confidential information may in the future be used in the taking of depositions, it shall remain subject to the provisions of this protective order, and so also shall the transcript pages of the deposition testimony dealing with or relating to said confidential information.

4. Unless such information ceases to be secret and confidential other than by violation of this agreement, each party – and counsel for each party -- shall maintain all said confidential information as strictly confidential and shall not disclose information therein to any person other than: (1) the parties to this action; (2) employees of counsel's law firm or other representatives who are assisting counsel in the preparation and prosecution of this action; (3) witnesses (whether lay or expert) as necessary for their testimony, on condition that all such persons be advised of this Order and agree to its terms in advance of such disclosure; (4) at the trial of this litigation; and (5) the Court.

5. The terms of this Order shall remain fully effective as to all such confidential information until modified or released either by a court order or by the written consent of both parties. At the conclusion of this case, including any appeal, all confidential information and copies thereof shall be returned to opposing counsel of record. Provided, however, that as to any work product of counsel of record falling within the description in the preceding sentence, counsel of record shall have the option of destroying such work product, as long as such counsel promptly thereafter provides counsel of record for the opposing party with his Affidavit attesting to the destruction of all such materials, or of agreeing to keep such work product confidential.

6. By agreeing to this Order and obtaining the material produced, the parties hereto do not waive any rights they may possess to compel further discovery responses or to object to any further discovery requests made by either party. Nothing in this Order shall be deemed to preclude the admission into evidence in this case of confidential information and the parties herein have reserved all rights to seek admission into

evidence in this case of confidential information or to object to the admissibility of such material. The burden of proving confidentiality is on the party seeking protection.

s/ Mark R. Abel
United States Magistrate Judge